



# Flathead County

## Planning & Zoning

1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210

### **CONDITIONAL USE PERMIT APPLICATION<sup>1</sup>**

*Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.*



**FEE ATTACHED \$ 700.00**

**PROPOSED USE (as described in the Flathead County Zoning Regulations):**

Communications Tower, Flathead County Zoning Document, Section 5.13

**OWNER(S) OF RECORD:**

Name: Edwin C. and Jolen E Hankinson Phone: 406-756-0145  
Mailing Address: 1050 Hankinson Lane  
City, State, Zip Code: Kalispell, MT 59901  
Email: \_\_\_\_\_

**PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:**

Name: Scott Richardson Phone: 406-752-5900  
Mailing Address: 1507 1st Avenue West, Suite E  
City, State, Zip Code: Kalispell, MT 59901  
Email: scott@pagenw.com

**LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):**

Street  
Address: 1050 Hankinson Lane - 2822X89-xxx-3B S 28 T 22 R 09  
Subdivision Tract Lot Block  
Name: N/A No(s). 3B No(s). \_\_\_\_\_ No. \_\_\_\_\_

1. **Zoning District and Zoning Classification in which use is proposed (EXAMPLE: Bigfork Zoning District, SAG-5 zoning classification):**

West Valley Zoning District

2. **Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. If criteria are not applicable, please explain why. Attach drawings, additional text, site plans, and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:**

<sup>1</sup> Revised: 06/24/10

**A. Site Suitability.**

The site is suitable for the use. This includes:

- (1) adequate usable space

The 80 acres is predominately logged unimproved hillside. The property also supports a house and a shop. I expect the 12' x 16' building and the tower to have a footprint of roughly 60 square feet which may slightly vary due to the fencing required.

- (2) adequate access

The site is easily accessed to the house followed by a dirt road to the site.

- (3) absence of environmental constraints

No environmental constraints are evident.

**B. Appropriateness of Design.**

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

Adequate parking exists near the shop area.

- (2) traffic circulation

Due to seldom traffic to this site, none is envisioned.

- (3) open space

Plenty of open space is available on this property.

- (4) fencing, screening

An 8' fence will be installed as per 5.13.20



- (5) landscaping

Adequate natural landscaping exists. additional landscaping would provide an unnatural setting.

- (6) signage

Signage will be provided as per 5.13.080 and R56 Standard 3.15.1.

- (7) lighting

An exterior security light will be placed on the outside of the building.

**C. Availability of Public Services and Facilities**

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer

As this site will not be staffed, this is not needed.

- (2) water

As this site will not be staffed, this is not needed.

- (3) storm water drainage

As this site will not be staffed, this is not needed.

- (4) fire protection

Two fire extinguishers will be installed on the interior of the building.

- (5) police protection

Police protection is not available at this location.





- (6) streets

This road is maintained by the property owner.

**D. Immediate Neighborhood Impact**

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

- (1) excessive traffic generation

As this site will not be staffed, this will not be a factor.

- (2) noise or vibration

As this site will not be staffed, this will not be a factor beyond the construction window.

- (3) dust, glare or heat

As this site will not be staffed, this will not be a factor.

- (4) smoke, fumes, gas, or odors

As this site will not be staffed, this will not be a factor.

- (5) inappropriate hours of operation

Due to the unknown times at which a communications outage may occur, this site may need to be accessed any hour or day of the year.

3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" as outlined in Chapter 4 the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics
- 4.02 Bed and Breakfast Establishments/Boarding Houses
- 4.03 Camp or Retreat Center
- 4.04 Caretaker's Facility in AG, SAG, and R-1 Districts
- 4.05 Cluster Housing Development in Residential Districts



- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses

Consultation with Planner:

Date \_\_\_\_\_ Planner's Signature \_\_\_\_\_

### INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
  - *(The buffer should be 150 ft. for all areas with the following exceptions: Administrative Conditional Use Permits, standard Conditional Use Permits, and Planned Unit Development (PUD) applications within the Lakeside Zoning District require a 300 ft. buffer.)*

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*I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.*

*Edna T. Hurlburt*  
Applicant Signature

6-4-12  
Date



Statement of Certifications

Application for Communications Tower

• 6/4/2012

5.13.010 No suitable structure exists within ¼ mile of the proposed facility. The closest tower is located too low in elevation to provide the needed microwave path.

5.13.030 No suitable structure exists within ¼ mile of the proposed facility. The closest tower is located too low in elevation to provide the needed microwave path.

5.13.090 I, Edwin Hankinson, will provide legal access to those leasing our property or who are subleasing spaces within the building and/or on the tower, including the right to utilize our easement to the site.

5.13.100 A. The security fence and the building will be painted in a color to match the natural environment.

5.13.100 B. Few communications sites are located on the northwest side of the Flathead Valley. This site is needed to provide microwave relay in addition to providing service to users West of Highway 93 from Kalispell to Whitefish.

5.13.100 C. Please see 5.13.090 answer.

5.13.100 D. Not applicable

5.13.100 E. We have planned to utilize a 60' tower which, by normal standards is 40' to 50' lower than most towers in the valley.

5.13.115 Not applicable



Edwin C. Hankinson

6-4-12

Date

